

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

*In re Hearst Communications State Right of  
Publicity Statute Cases*

Case No. 1:21-cv-08895-RA

Hon. Ronnie Abrams

**PLAINTIFFS' NOTICE OF SUPPLEMENTAL AUTHORITY**

Plaintiffs in this consolidated action respectfully submit this Notice of Supplemental Authority regarding the pending Motion to Dismiss. See ECF Nos. 37-38, 42, 43. Plaintiffs bring to the Court's attention the Northern District of California's order in *Kellman v. Spokeo, Inc.*, 2022 WL 1157500 (N.D. Cal. Apr. 19, 2022) (Orrick, J.) ("*Kellman*"), attached hereto as Exhibit A. The *Kellman* order was issued subsequent to Plaintiffs' submission of their memorandum in opposition to Defendant's Motion to Dismiss, and thus was not included in Plaintiffs' briefing.

The *Kellman* order is relevant to the parties' respective arguments in the pending motion to dismiss in the instant action. *Kellman* analyzes claims under several of the statutes at issue in this case, and additionally addresses Judge Chen's order in *Brooks v. Thomson Reuters Corp.*, 2021 WL 3621837 (N.D. Cal. Aug. 16, 2021).

Dated: June 22, 2022

Respectfully submitted,

**BURSOR & FISHER, P.A.**

By: /s/ Philip L. Fraietta  
Philip L. Fraietta

Philip L. Fraietta  
Julian C. Diamond  
888 Seventh Avenue

New York, NY 10019  
Tel: (646) 837-7150  
Fax: (212) 989-9163  
[pfraietta@bursor.com](mailto:pfraietta@bursor.com)  
[jdiamond@bursor.com](mailto:jdiamond@bursor.com)

Ari J. Scharg\*  
Benjamin Thomassen\*  
**EDELSON PC**  
350 North LaSalle Street, 14th Floor  
Chicago, Illinois 60654  
Tel: (312) 589.6370  
Fax: (312) 589.6378  
[ascharg@edelson.com](mailto:ascharg@edelson.com)  
[bthomassen@edelson.com](mailto:bthomassen@edelson.com)

Frank S. Hedin\*  
Arun G. Ravindran  
**HEDIN HALL LLP**  
1395 Brickell Ave, Ste 1140  
Miami, Florida 33131  
Tel: (305) 357-2107  
Fax: (305) 800-2201  
[aravindran@hedinhall.com](mailto:aravindran@hedinhall.com)  
[fhedin@hedinhall.com](mailto:fhedin@hedinhall.com)

Thomas L. Laughlin, IV  
Joseph P. Guglielmo  
Erin G. Comite  
Sean T. Masson  
Carey Alexander  
**SCOTT+SCOTT LLP**  
The Helmsley Building  
230 Park Avenue, 17th Floor  
New York, NY 10169  
Tel.: 212-223-6444  
Fax: 212-223-6334  
[tlaughlin@scott-scott.com](mailto:tlaughlin@scott-scott.com)  
[jguglielmo@scott-scott.com](mailto:jguglielmo@scott-scott.com)  
[ecomite@scott-scott.com](mailto:ecomite@scott-scott.com)  
[smasson@scott-scott.com](mailto:smasson@scott-scott.com)  
[calexander@scott-scott.com](mailto:calexander@scott-scott.com)

\**Pro hac vice* application forthcoming

*Counsel for Plaintiffs and the Proposed Classes*